

FISCAL NOTE

SB 3116 - HB 3110

March 25, 2004

SUMMARY OF BILL: Allows the magistrate, judge, or clerk to issue a criminal warrant or a criminal summons. None of the affiants will be required to be a law enforcement officer. Current law, which became effective January 1, 2004, provides that unless a law enforcement officer is an affiant or a co-affiant in the complaint before the magistrate, the magistrate is required to issue a criminal summons rather than a criminal warrant. A warrant for arrest may be issued rather than a criminal summons if the magistrate believes it is necessary to prevent an immediate threat of imminent harm to a victim of domestic violence.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures* - Exceeds \$500,000

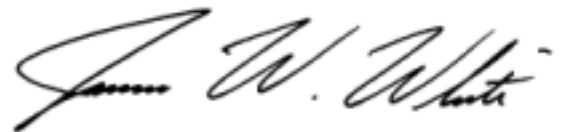
Estimate assumes:

- Provisions of the bill will substantially increase the issuance of arrest warrants rather than criminal summons;
- An increase in local government expenditures to take arrestees into custody, process and hold in jail until a determination is made for release from custody.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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